



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. WR-72,702-03

In Re MELISSA ELIZABETH LUCIO, Relator

**ON MOTION FOR LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS,
PETITION FOR WRIT OF MANDAMUS, AND MOTION TO STAY THE
EXECUTION IN CAUSE NO. 07-CR-885-B
IN THE 138TH JUDICIAL DISTRICT COURT
CAMERON COUNTY**

Per curiam.

ORDER

We have before us a motion for leave to file a petition for a writ of mandamus and a petition for a writ of mandamus. Relator has also filed a motion to stay her execution.

In July 2008, a jury convicted Relator of the February 2007 capital murder of her two-year-old daughter. *See* TEX. PENAL CODE § 19.03(a). Based on the jury's answers to the special issues submitted pursuant to Texas Code of Criminal Procedure article 37.071, the trial court sentenced Relator to death. This Court affirmed Relator's conviction and sentence on direct appeal. *Lucio v. State*, 351 S.W.3d 878 (Tex. Crim. App. 2011). We

also denied relief on Relator's initial post-conviction writ of habeas corpus application. *Ex parte Lucio*, No. WR-72,702-02 (Tex. Crim. App. Jan. 9, 2013) (not designated for publication).

The trial court scheduled Relator's execution for April 27, 2022. On March 21, 2022, she filed the pleadings currently before us.

Before this Court makes a decision on Relator's motion for leave to file, the State and the trial court should have the opportunity to respond. Therefore, the prosecutor and the Honorable Gabriela Garcia, Judge of the 138th Judicial District Court, have until Monday, April 11, 2022 to file any response to Relator's pleadings.

IT IS SO ORDERED THIS THE 4th DAY OF APRIL, 2022.

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